

AO 440 (Rev. 03/08) Civil Summons

UNITED STATES DISTRICT COURT

for the

District of Delaware

MARK MARQUISEE

Plaintiff

v.

POLICE CHIEF MICHAEL SZCZERBA, et al.

Defendant

Civil Action No. 08C-08-536

Summons in a Civil Action

To: (Defendant's name and address)

The City of Wilmington  
c/o City of Wilmington Law Department  
City/County Building, 9th Floor  
800 N. French Street  
Wilmington, Delaware 19801

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Norman M. Monhait, Esquire  
Rosenthal Monhait & Goddess, P.A.  
919 Market Street, Suite 1401  
Wilmington, Delaware 19801

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date:                     

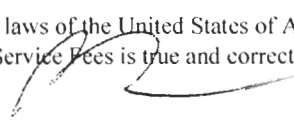
AUG 26 2008

PETER T. DALLEO

Name of clerk of court

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

RETURN OF SERVICE		
Service of the Summons and complaint was made by me(I)	DATE	8/27/08
NAME OF SERVER (PJNT) BARRY EVELAND	TITLE	SPECIAL PROCESS SERVER
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input checked="" type="checkbox"/> Other (specify): SERVED: THE CITY OF WILMINGTON C/O THE CITY OF WILMINGTON LAW DEPT. AT 800 N. FRENCH ST. WILMINGTON, DE COPIES THEREOF WERE ACCEPTED BY ANNE HITCHENSON _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>8/27/08</u> <div style="text-align: center;">Date</div>	<div style="text-align: center;">             _____  <i>Signature of Server</i>            BRANDYWINE PROCESS SERVERS, LTD.            P.O. BOX 1360            WILMINGTON, DE 19899-1360            302- 475-2600         </div>	